LOCAL ITEMS.

ARRIVALS AND DEPARTURES. ARRIVAL BY GHARM & BALLISURY'S SALT LAKE LINE.

DEPARTURES. BY TRAVES & CO.'S BAMILTON LINE. Mrs J D Hickox BE OTHER & STEEDERS, STITL TAKE TEXT

AN PRANCISCO STOCK REPORT. BAN FRANCISCO, April 28.

recome stocks.

Leadow Valley—14 %
laymond 4 Ely—63 63b10 64b30 63b1 64b
eyebs 48 92% 63a8 63b10 63b5 41 %

OFFICIAL VISITORS .- Governor Bradley, State Treasurer Schooling, Coner Hobert and Superintendent Public Instruction Fisher, we learn, propos visits to Pioche during the present season They are all men of acknowledged fitness for [their respective positions, and in their advent to this city will find a uni-versal welcome to the hospitalities of Pi-

Rev. KELLY, of Eureka, preached a very sound and interesting sermon last Sunday evening, at the Episcopul Church in this city, on the desecration of the Lord's Day. The church was well filled, every seat being occupied. We shall be pleased to have frequent visits from this neighboring elergyman.

JUDGE LAKE, one of the defending counsel in the Raymond-Hermes case, who left on yesterday morning's coach on a professional visit to his home in San Francisco, expressed to us before starting his satisfaction, so far as he is individually concerned, over our reports of the great mining suit.

EMBRACKRY.-We have received an anonymous letter asking us to publish the penalties prescribed for the crime of embracery. Believing the inquiry to have been made from a sinister motive, the nameless inquirer is referred to an

FULES & MCALFIN have been making great improvements in the club room, in the rear of their saloon. The walls are handsomely papered, and the grain-ing of the wood work, especially that of the door between the saloou and club room, is a model of artistic art.

BURSTING INTO FOLIAGE,-The handsome imported shade trees which were set out a few weeks ago are putting forth their beautiful fresh green leaves, giving the desert city a refreshing aspect in the localities where they are growing.

ARRIVED .- D. Wattlet, Superintendent of the Pioche Champion Mining Company, returned from San Francisco yesterday. We have not learned how soon it is proposed to resume work on

CONVALESCING, -- Ex-Postmaster Barnes has just recovered from a short but se-vere attack of congestion of the lungs. He is again in his office, able to attend to his business.

Justice's Count.-Nothing whatever, in the way of criminal business, w transacted in Judge Stoutenburgh's Court yesterday.

Commo.-H. L. Rodgers is the only essenger expected from Hamilton to-

LEFT.-P. Zecherle and Mrs. Zecherle were the only passengers who left Pal-isade, for Pioche, on Sunday the 27th. THE Salt Lake stage arrived on time last night. Five passengers,

JESSE BEENE, a pioneer druggist of California and Nevada, and for several years of Pioche, is now receiving a full and complete stock of fresh drugs, medicines and chemicals, imported wines, brandies and Kentucky whishies. His new place of business is on Main street, one door above Wheeler & Co.'s, where he is pre-pared to see his old friends and customers, and give prompt attention to all branches of his business. Prices always

Raymond-Hermes Case.

MONDAY'S PROCEEDINGS. Judge Mesick. Judge Mesick, of counsel for the de-fense, opened his remarks by saying that in closing the case for the defense he proposed to commence at the beginning of the line of defense and follow it to its conclusion, though some repetition in doing so would be unavoidable. The plaintiffs sue for the recovery of 280 feet of mining ground which, it is alleged, we have entered on, under some sort of claim, and you, gentlemen of the jury, are to pass judgment as to which title is good, plaintiffs or ours. The plaintiff further claims the right to turn us out of possession on our own title, regardless of its own. Now, on the first brauch of the case, the plaintiffs must recover on the Panaca title, or fail. The second branch of their complaint is that while Perley and Lightner were acting as confidential agents for plaintiffs they secured their title, and that, therefore, its benefits should inure to the plaintiffs. The plaintiffs cannot recover on our title, for various reasons. If we acknowledge a trust on the part of Perley, Lightner and Hearst towards the Raymond & Ely Company, that cannot affect the defendants now, who are purchasers in good faith without notice and for valuable consideration. Now, if a party holding in trust sells to you, you having no notice of the existence of the trust, and paying a valuable consideration, you must be protected, in proposed to commence at the beginning of the line of defense and follow it to its trust, and paying a valuable considera-ation, you must be protected, in equity and in law. We claim to be equity and in law. We claim to be purchasers for consideration and without notice, though Lightner and Perley might have been notified in acquiring the property. I will read what Judge Ckory says on this point. [Reads.] In this case, one party agreed with another to purchase certain real estate in Boston; it was purchased by one of the agreeing parties and deeded to a third, on the ground that the agreement had been abandoned. Then came into Court the party ignored in the original agreement, asking that the deed from his copartner be set aside. It was held by the Court that the purchaser gave valuable Court that the purchaser gave valuable consideration, without notice of the ex-istence of a trust, and should be protected. Now, in our case, we gave a valid consideration for property which never had been legally located, or, if it had been, the location had become invalid from lapse of time and the neglect of the claimants. We bought without knowledge of any existing trust. [The argumentation in the case last referred to was read and commented on at great length, in order to show what constitutes sufficiency of notice, actual or constructive.] Now, at the time of the Hermes purchase from Hearst, Hearst, or the locators, were in possession, which was the best con-

from Hearst, Hearst, or the locators, were in possession, which was the best constructive notice to the purchasers that there were no valid adverse claims. The fact that Lightner and Perley were the parties in possession, and that they were in positions of confidential relationship to the Raymond & Ely Company, does not lessen the force of this constructive notice, because the purchasers must have been ignorant of this relationship. If there were any notice it must have tive notice, because the purchasers must have been ignorant of this relationship. If there were any notice it must have been the notice that the Raymond & Ely Company had an absolute and indefeasable title to the ground. The tenant being in possession is the same as the owner being in possession himself, and Lightner and Perley, when the Hermes Company purchased of Hearst, having possession of the property, it is the same as if Hearst himself had been in possession. Hearst himself had been in possession. Hearst conveyed all the interests that had been secured by the location of the Hermes property, and at the time there was no notice of any claims by the plaintiffs, of any character. A deed of release has been construed to be a deed of bargain and sale; in California and here a deed of release is held to be to the releases the same as a conveyance absolute. The deed from Hearst to the Hermes Company was an actual conveyance of all his right, and the purchasers, knowing nothing of the adverse claims of which we only had the first notice when this suit was commenced, cannot be prejudiced in their interests by such adverse claims. They stood silently by while we expended at least \$40,000 in the development of the property. The law requires the notice to be plain and direct, and the courts will sometimes hold the purchase to be good against valid adverse claims without notice, even though all the purchase money

menced, cannot be prejudiced in their interests by such adverse claims. They stood silently by while we expended at least \$40,000 in the development of the property. The law requires the notice to be plain and direct, and the courts will sometimes hold the purchase to be good against valid adverse claims without notice, even though all the purchase money has not been paid. Now, the Hermes location was made. It is they not make sales? Can we believe they obey of the carrier than they will not exceed to develop their mines, locate the whole country, and then run optice, even though all the purchase money has not been paid. Now, the Hermes location was made. It is the settled policy of nearly every government of the Hermes location passed from the locators to Perley, Lightner and McCannon to Hearst, and from Hearst to the Hermes Company. What was the consideration? It was the transfer and delivery to George Hearst of 30,000 shares in the Hermes Company. (Reads certificate of the organization of the Hermes Company). (Reads certificate of the organization of the Hermes Company). (Reads certificate of the organization of the Hermes Company). (Reads certificate of the organization of the Hermes Company). (Reads certificate of the organization of the Hermes Company). (Reads certificate of the organization of the Hermes Company). (Reads from Bontiers Institutes, showing siyalable consideration.) The consideration may be by the payment of money, or any other thing, or the promise of money, or any other thing, or the promise of money, or any other thing, or the promise of money, or any other thing, or the promise of money, or any other thing, or the promise of money, or any other thing, or the promise of money, or any other thing, or the promise of money, or any other thing, or the promise of money, or any other thing, or the promise of money, or any other thing, or the promise of money, or any other thing, or the promise of money, or any other thing, or the promise of money, or any other thing, or the promise of money or moderate.

It is a well known fact that Dyspepsia and Indigestion are the causes of nearly all the diseases that the human body is heir to; then why pay enormous doctor's bills? By using Dr. Henley's celebrated IX L. Bitters they can be thoroughly radicated from the system and new life imparted to the sufferer. Read advertisement in another column.

Removal.—The wholesale and retail iquor store of Alex. Brown has been removed from the house above the State sank of Nevada te his new block on the satt side of Main atreet, just below Landidity, no power of receiving or imstant side of Main atreet, into below the sank of Nevada te his new block on the satt side of Main atreet, into held by the courts to be a valuable consideration was adequate, but whether it was valuable. The consideration of giving up a right may be sufficient. Did not Hearst receive all the stock of the corporations to be personal estate. It is subject to attachment and liable to execution. It is held by the courts to be a valuable consideration in construing a contract. [Reads from Angell on contracts; also from 33d Cal.] Here it is plainly laid body which cannot be controlled or affected by its stockholders. It has no validity, no power of receiving or im-

Now, the vast body of the stockholders of the Hermes Company are innocent purchasers, having bought without notice, and they must be involved in ruin by the termination of this case against us. When the incorporators of the company parted with their intereats they received therefor 300,000 shares of stock, valued at \$100 acab, and the effect is the same as if Hearst had paid in, for this stock, three millions of ollars in money, instead of transferring the property. But I claim there could have been on trust on the part of Perley and Lightner in regard to this estate. The Panace lock all the ore they could find, having, so far as their original intentions and not used to the part of Perley and Lightner in regard to this estate. The Panace ities is based on a location made in 1854; the Hermes on a location made in 1864; the Hermes is one of the company had an entirely distinct location, and Perley and Lightner were no mentioned and the line of black recogning to the stock of the

Recess.

Judge Mesick, resuming, said that he had undertaken to show the position of the defendants as bons fide, innocent purchasers, though Perley and Lightner might have been charged with a trust in regard to the property. But I have shown that they could not have been agents in respect to the Hermes location, if that property was not absolutely owned by the Raymond & Ely Company. Judge Hardy says that a deed will be set aside which conveys to an agent property bid in by him at a tax sale. Certainly, because the agent is the agent for that very property. It is not a parallel case. interested. The associates of Hamlin, Sill, Pulsifer, have something to say about shifting the location, and their concurrence in the change they have not got. But, gentlemen, I admit there are one stains from the old Panaca shaft to incline M, but I do not believe there is continuous ore from point to point. I have a good deal of confidence in Mr. Wescoatt—have known him for years—and I also have confidence in Mr. ticusch; and I believe if a continuous ore connection could have been because the agent is the agent for that very property. It is not a parallel case. Perley and Lightner were not the agents of the Raymond & Ely Company in re-spect to the property in dispute, for the Raymond & Ely Company had no title to the ground. Their employers had set up no claim to the ground, and, there-fore, no trust could have been violated. fore, no trust could have been violated.
And an agent cannot do what the principal himself cannot do. The Raymond &
Ely Company could not itself have located the Hermes ground, because under
the Congressional law of 1886 no person
can locate over 200 feet on the same ledge. can locate over 200 feet on the same ledge. Now, in law a corporation is an individ-ual. They could not have taken more [Reads the law.] Here it is emphatically [Reads the law.] Here it is emphatically said that no person, not a discoverer, can locate over 200 feet on the same lode; and if they had located 1,000 feet, instead of 200, you could not separate the good from the bad, and the location in its entirety would fail; because the right and the wrong would be inseparably intermingled. But it may gravely be doubted whether a corporation, under the Congressional Act, can make a mining location at all. The law concedes the right only to "citizens of the United States," and the Supreme Court of the United States has decided that a corporation cannot, in any sense, be considered a with him, and then, if they had meant to develop on returning, would they, numbering twenty-five, have come back with but little gruband only a few pounds of powder? And after getting here the second time, what did they do? Did they not, instead of showing their good faith by going to work on their mines, locate the whole country, and then run off to make sales? Can we believe they ever intended to develop their mines? [Reads from various reports, showing United States has decided that a corpora-tion cannot, in any sense, be considered a citizen of the United States. Therefore the location in September for Bell, Moulder and others, is absolutely void. And again, the Commissioner of the Land Office rules that a corporation cannot could for any receive a patent unless

was a forbearance to collect money. The moderate.

The solutions of the property and the diseases that the human body is better to the street of the solution of the controlled to the top of the solution of the controlled to the solution of the solution of the controlled to the sufferer. Read adversionent is another column. The property of the sufference of the sufferenc

he Picche and Hamilton Stage Stopped and Robbed of an Empty Treasure Box—The Driver Shot and

Day before yesterday afternoon, about half-past 5 o'clock, the stage from Hamilton to Pioche, when about twelve miles this side of the former place, was stopped by highwaymen. It contained five passengers, and there were two drivers on the box, Wm. Mann, the regular driver, having hold of the lines. The locality was well selected for the purpose by the robbers, being in a close canyon with abundant hiding places. It was a complete surprise. The robbers sprang from their place of concealment with a shout imitative of an Indian war-whoop, and ordered the driver to rein in his horses. Two of them had their faces painted and the third was masked, and they all had sacks tied around their feet. While two sacks tied around their feet. While two
were covering the drivers with their revolvers, the third addressed the passengers, saying, "keep quiet and you will
not be molested." They then demanded
the treasure box, which was handed down
to them; and then, either by design or
accident—the passengers differing in
opinion on this point—a bullet was discharged from the revolver of one of the
robbers, cutting off the thumb of the
right hand of the driver, Mann, and severing the main artery of the right arma right hand of the driver, Mann, and severing the main artery of the right arm just below the shoulder. The other driver then took the lines and drove on for a quarter of a mile, when Mann, who had been bleeding profusely, became faint and was helped down from the box; his arm was bandaged, and he was put inside the coach, but he died about ten minutes later. The body was left at Allison's Station, sixteen miles this side of Ham-Station, sixteen miles this side of Ham-ilton, for interment. The front of the cosch was stained with blood all over when it came in last night, and the mail when it came in last night, and the mail sacks were so stained with it that a number of our exchanges, now before us, exhibit many red spots. Mann was a good and faithful driver, a man respected by all who knew him, and he leaves many friends to mourn his loss, both here and at Hamilton. We have not heard what steps have been taken for the arrest of the perpetrators, but it is gratifying to know that the treasure-box did not contain a quarter of a dollar and But where a number hold mining property conjointly, and some are willing to swing it around, and others are not, what will you do? Their notice reads, "We, the undersigned," claim this "plot," so they must have claimed by locating in undivided interests. Now, before the lines can be changed there must be a concurrence of all the parties interested. The associates of Hamlin, Sill. Pulsifer, have something to say not contain a quarter of a dollar and that they did not get a cent by making

PERSONAL.-Hon. Jerry Schooling, State Treasurer, put in his appearance on the Hamilton stage last night, Mr. Schooling has traveled many hundreds of miles since leaving the capital, taking of miles since leaving the capital, taking in his line of travel nearly every mining town in Nye and Lander counties. He has rode in stage coaches, buggies, wagons, dugouts, on horseback, muleback, and last, but not least, took the benefit of Walker's line, now and then. He intercepted the Hamilton stage at Patterson, and but for positive evidence to the contrary, we should have suspected him to have been the heavy man mentioned in the "call" for Wells, Fargo & Co.'s treasure box. Jokes aside—Mr. Schooling is a man much respected by the peoing is a man much respected by the peo-ple of Nevada, for his honesty and integrily, and is meeting with a warm recep-tion from the people of Pioche. He will remain with us for three or four days, during which time he will visit and examine the principal mines of the dis-trict. Jerry claims to be a mining

nous ore connection could have been made, they would have made it. [Here one of plantiff's attorneys interrupted, saying Mr. Wescoatt and others had swore to an ore connection every foot of the

way between the two points.] The testi-mony is not conclusive that there is an ore connection anywhere on that cut. The croppings above all contain some metal. They are continually disintegrat-ing and the fragments and dust are car-ried below by the force of gravitation, contrained by the force of gravitation,

ried below by the force of gravitation, scattering a little metal everywhere. Mr. Wren says "there was a connection" between the surface and the workings below. Well, Mr. Wren is a miner. He had men at work above, and Mr. Heuseh had 60 engaged below. Mr. Wren explored on top, and finally followed a shaft down till he met Mr. Heuseh, when they shook hands, and that must have been the way the connection was made.

been the way the connection was made. Now, gentlemen, I have no doubt the Panaca men located something, but not the rich bodies of ore which have since

TIMBER APPROPRIATION. - Considerable timber land is being appropriated in Lincoln county under the local law of occupancy and possession, the only way unsurveyed lands can be appropriated. But this is no protection to the claimant, really, as a State law, concurrent with a Congressional law, forbids the claimant himself cutting the timber, under heavy the rich bodies of ore which have since been found. But those early locations were not made in good faith and had been abandoned before they sold them. Does not the evidence go to show that they want to find mines, in-stead of developing them? Why did they go back to Salt Lake to make their record? Sherwood says he had paper with him, and then, if they had meant to develop on returning, would they. penalties, for any other than his own immediate domestic purposes. Every stick of freewood brought into Pioche and offered for sale has been cut and hauled in violation of penal enactments. We consider these unreasonable laws as practical nullities.

Honest BUT SLOW .- Judge Aud received a letter, the other day, enclosing a gold note, the sender saying it had been due for many years. The Judge had long since forgotten the indebtedness. We would expect to "die rich" if all our old delinquents would be equally consid-erate before "life's fitful fever" termin-

just opened his model barber shop in the handsomely fitted up new building, adjoining Aleck Brown's new hall, on Main street, a short distance below Lacour. Mr. Williams has an enviable reputation for superior skill in his profession. The is new, the razors sharp, and towels always clean. Give him a call.

ORE SHIPMENTS.—The shipments of ore from the mines to the mill are heavier than they have before been for weeks. Andy Fife's teams are all engaged, and THE first ice cream wagon of the sea-

son made its appearance last Sunday. The delicious luxury was better appreciated towards night by a warm stove. WE inadvertently copied an item from

the Salt Lake Herald and gave credit there for to another Salt Lake paper-"Excuse haste," Mr. Herald,

HOW TO LIVE LONG

DO UNTO OTHERS AS YOU WOULD HAVE them do unto you; never worry about anything you can't help nor anything you can help; keep your head cool, your feet warm, your bowels open, and buy your drugs at

G. R. ALEXANDER'S, Meadow Valley Street.

BLASTING POWDERNOW...

DUPONT

ARRIVING AND FOR SALEBT....

PH. FELSENTHAL,

Sole Agent for Pioche. POND. REYNOLDS & CO. IMPORTERS & JOBBERS OF WINES & LIQUORS,

313 California St., San Prancisco. [ap17-tf] - BOTTLED CIDER

For Sale at the SODA FACTORY.

Made from Fine Apples And delivered in any part of the city For 85.00 per Dozen.

SEND IN YOUR ORDERS. T. C. GARVEY, Proprietor. Brinting Office.

OFFICE OF THE



This establishment is supplied with a large assortment of newest styles of

Type, Borders, Assorted Stationery,

....AND ALL THE.

MODERN EMACHINERY

EMPLOYED IN THE

EXECUTION

BEST OF JOB PRESSES!

Ornamental Plain and

Finest and Latest Styles, for any kind of Work, such as

Posters, Play-bills, Receipts, Blank Books, Circulars, Checks, Notes, Tags.

CERTIFICATES OF STOCK, ETC.

CARDS

Of all sizes, shades and shapes, in plain black or in any or all th colors of the rainbow.

AN INDEPENDENT PAPER,

Faithful to the Institutions

Two Car Loads Publishing all the Telegraph News.

Ceneral News Summary.

In every issue, besides our specialty,

Every Saturday, Our Mining Review:

Furnishing an account of the condition of the

ines in the several districts: condition of the works; late developments; amount of ore for the week; yield of ore worked; proposed chang es; and other matters of interest to owners and

Saloons.

MEADOW VALLEY BREWERY Corner of Main and Meadow Valley streets PIOCHE - - - NEVADA.

F. KASTEN Proprietor. THE MEADOW VALLEY RREWERY HAS been fitted up in the most tasteful manner and supplied with SUPERNOR BRANDS OF

LIQUORS and CIGARS LAGER BEER from the Spiendid Brew-ery at Meadow Valley. n21-tf

CLANCY & McCORMICK'S MAIN STREET..... PIOCHE,

REFITTED NEWLY PAPERED. Wines and Liquors,

READING AND CLUB ROOMS ATTACHED CLANCY & McCORMICK,

set-tf H, D. Benner's SALOON,

MAIN STREET PIOCHE HAS JUST BEEN REFITTED AND OPENED TO THE PUBLIC.

Wines, Liquors, CIGARS, ETC.

CLUB ROOMS ATTACHED. Call and see us. BUCKEYE SALOON, MEADOW VALLEY STREET.

T. F. HANLEY, Proprietor. ALL THE PAVORITE BRANES OF Wizes, Liquors, Cigars

Constantly on hand. Card Rooms in Renr.

Occidental Saloon, BULLIONVILLE......NEVADA

Converse & McMahon,

RESPECTFULLY INVITE ALL TO GIVE
them a call. Their stock comprises the
best Wines, Liquors and digars in the District,
my3l-tf City Club Rooms

ALWAYS OPEN. STOCK A No. 1.

BROWN & FINAGIN. dil-tf Magnolia Saloon,

Bullion ville, NEVADA. IS THE PLACE TO PURCHASE FINE WINES, Industry J. G. WILLIAMS.

Capitol Saloon, MAIN STREET - - PIOCH ITY. MIKE McCLUSKEY. Prop'r

K EEP THE BEST WINES, LIQUORS AND Cigars that are obtainable in the Unite mrb-if HAMILTON'S

SALOON, Main street, Pioche. (On the site of his old Lodging House.) Liquors of all Kinds & Best Brands

-AT-WHOLESALE AND RETAIL. Hamilton has "Come to Stay," and has se-lected his stock with an eye to building up a steady business on the merit of Liquers, Cigars, etc., passing over the bar.

PALACE CLUB ROOMS. RUSSELL SCOTT

HAS OPENED CLUB ROOMS OVER HAL-PIN'S Hardware Store, Main street, and has connected therewith a handsome Bar. Persons visiting the PALACE can rely on the best of accommodations, and when other amusements are required it will not be necess ry to go elsewhere.

Philadelphia Brewery, MAIN STREET, PIOCHE,

SCHUSTRICH & KLEINE PROPRIETORS Is FURNISHING A SUPERIOR ARTICLE OF Lager Beer, in quantities to suit, at the low-est rates. Adjoining camps supplied on short

JAMES CRONAN'S

MAIN STREET, PIOCHE, NEVADA

GROCERTES GROCERIES GROCERIES, GROCERIES GROCERIES GROCERIES GROCERIES GROCKETES

PROVISIONS AND GENERAL MERCHANDISE CLOTHING

CLOTHING CLOTHING CLOTHING CLOTHING CLOTHING CLOTHING

HATS, BOOTS, SHOES HARDWARE, CROCKERY,

Glassware, Paints, Oils LIQUORS, LIQUORS,

Tobacco and Cigars Having unusual facilities in buying, I am pre-pared to sell goods at the lowest rates,

With One Price to All. COME, SEE, AND BE SATISFIED JAMES CRONAN.

JOSEPH LEMOGES. MANUFACTURER OF LADIES' and CENTS'

BOOTS and SHOES, Main street, Pioche, two doors above J. J. Halpin & Co.'s store,

HAS JUST OPENED A LARGE AND CARE-fully assorted Stock of Leather from San Francisco, especially adapted for line work. CALL AND EXAMINE FOR YOURSELF. All Work Guaranteed.

Repairing Promptly Done.

Check Lost.

BAWN BY BOONE & DOLMAN ON Wells Fargo & Co., Ploche, No. 63, dated February 13, for \$200, payable to William Bacter or order. All persons are notified not to parchase said check as payment has been stopped. Blocks of the Co. McCULLOUGH & WOOD. Pioche, Nev., March 27, 1873.